

ASSEMBLY BILL

No. 1033

Introduced by Assembly Member Nielsen

February 27, 2009

An act to amend Section 39002 of the Health and Safety Code, relating to air pollution.

LEGISLATIVE COUNSEL'S DIGEST

AB 1033, as introduced, Nielsen. Air pollution.

Existing law generally gives responsibility for the control of air pollution from vehicular sources to the State Air Resources Board and from all other sources to local and regional authorities, as provided.

This bill would make a technical, nonsubstantive change to this provision.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 39002 of the Health and Safety Code is
2 amended to read:
3 39002. Local and regional authorities have the primary
4 responsibility for *the* control of air pollution from all sources other
5 than vehicular sources. The control of vehicular sources, except
6 as otherwise provided in this division, shall be the responsibility
7 of the State Air Resources Board. Except as otherwise provided
8 in this division, including, but not limited to, Sections 41809,
9 41810, and 41904, local and regional authorities may establish
10 stricter standards than those set by law or by the state board for

1 nonvehicular sources. However, the state board shall, after holding
2 public hearings as required in this division, undertake control
3 activities in any area wherein it determines that the local or regional
4 authority has failed to meet the responsibilities given to it by this
5 division or by any other provision of law.

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